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# Security Council

Fifty-ninth year

*Provisional*

**5099**th meeting

Monday, 13 December 2004, 10 a.m.

New York

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| *President*: | Mr. Baali | (Algeria) |
| *Members*: | Angola | Mr. Lucas |
| | Benin | Mr. Adechi |
| | Brazil | Mr. Sardenberg |
| | Chile | Mr. Muñoz |
| | China | Mr. Wang Guangya |
| | France | Mr. De La Sablière |
| | Germany | Mr. Pleuger |
| | Pakistan | Mr. Akram |
| | Philippines | Mr. Baja |
| | Romania | Mr. Dumitru |
| | Russian Federation | Mr. Denisov |
| | Spain | Mr. Yáñez-Barnuevo |
| | United Kingdom of Great Britain and Northern Ireland | Sir Emyr Jones Parry |
| | United States of America | Mr. Danforth |

## Agenda

The situation between Iraq and Kuwait

Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004) (S/2004/959)

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04-64307 (E)

*The meeting was called to order at 10.10 a.m.*

**Adoption of the agenda**

*The agenda was adopted.*

**The situation between Iraq and Kuwait**

**Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004) (S/2004/959)**

**The President** (*spoke in Arabic*): I should like to inform the Council that I have received a letter from the representative of Iraq, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, its is so decided.

*At the invitation of the President, Mr. Sumaida'ie (Iraq), took a seat at the Council table.*

**The President** (*spoke in Arabic*): In accordance with the understanding reached in the Council's prior consultation, I shall take it that the Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Ashraf Qazi, Special Representative of the Secretary-General for Iraq.

It is so decided.

I invite Mr. Qazi to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004) (S/2004/959).

At this meeting the Security Council will hear briefings by Mr. Ashraf Qazi, Special Representative of the Secretary-General for Iraq, and Mr. John Danforth, representative of the United States, on behalf of the multinational force.

**Mr. Qazi**: The report before you is the second report of the Secretary-General pursuant to resolution 1546 (2004), paragraph 30. I trust that you will find it to be in large part self-explanatory. I will therefore confine myself to a few remarks.

The forthcoming election represents a test of the new political order and of the transition process in Iraq. The Iraqi people have yet to be given the opportunity to assert their political rights through the ballot box. While there is clearly a widespread desire among Iraqis to participate in the elections, some important segments of the population still feel alienated or excluded from the political transition.

The overall security situation remained difficult during the reporting period. Violence of all types, much of it extreme in its brutality and indiscriminate in nature, has disrupted a significant portion of the country. Daily reports of insurgent, terrorist and criminal activities and of military and security operations graphically illustrate the fragility of the situation. The chief victims are, as always, the civilian population.

From our contacts with almost all sectors of Iraqi society, we are convinced that violence is abhorrent to the overwhelming majority of the Iraqi people. They demand a way out of this situation through the establishment of a government that demonstrably enjoys the assent of the majority of the population. This desire to find political solutions to political problems is by and large shared by all Iraqis, with the exception of a few irreconcilable extremists. The vast majority, including those who have so far chosen to remain outside the political process, understand that the long-term consequences of violence seldom if ever meet expectations and are most often very counter-productive to the achievement of desired goals.

Over the past three months, the United Nations has actively continued its efforts to engage in dialogue with a wide spectrum of Iraqi opinion, including those outside the political mainstream, with the aim of understanding their needs and aspirations and encouraging them to enter the political process. Equally, we have continued to encourage those parties that comprise the Iraqi Interim Government to intensify their efforts to reach out to the widest possible range of Iraqi opinion, since an inclusive process is the best guarantee of a successful transition.

My colleagues and I have tried to impress upon all our interlocutors that the forthcoming elections must provide a platform for the expression of all shades of Iraqi political opinion and allow for the adequate representation of Iraqis of all backgrounds, whether ethnic or religious, or members of civil society and independents. To its credit, the Interim Government has made efforts to reach out to alienated elements and is continuing to do so. It needs every encouragement to increase its efforts in this direction; the success of the transition depends to a great extent on them.

Because the future Transitional National Assembly will also be the constituent assembly, it must be seen as sufficiently representative by all constituents of the Iraqi polity. Equally, for those opposition elements who claim to have a substantial base of political support, there can be no better opportunity to demonstrate that support than by participating in the forthcoming elections. Accordingly, there is no alternative to an inclusive and successful national election.

Free and fair elections conducted by an independent electoral commission have so far not been part of Iraqi political life. This is why it is so important that, despite the challenging security environment, Iraqis make every effort to avail themselves of this opportunity to participate in the forthcoming elections. Those who choose to opt out of or seek to undermine such a transforming process do neither themselves nor their country any favour. The self-restraint and accommodation exhibited with regard to certain opposition groups, and their subsequent decision to eschew violence and participate in the political process, show that peaceful political alternatives are always available.

At the same time, it is a fact that political opinion remains very polarized. Along with the general insistence that elections be held as scheduled by the Independent Electoral Commission of Iraq (IECI), there have been calls from some quarters for the boycott of elections. Others have called for the postponement of elections to allow time and reconciliation efforts to heal the wounds of recent events. It is imperative that every effort be made to promote dialogue, compromise and reconciliation among all Iraqis in order to bring about a more secure environment. Otherwise, there is a real danger that the political transition process will be impeded, rather than facilitated.

A successful transition will also be facilitated through sustained regional and international engagement with the Iraqi Interim Government and with representatives of the spectrum of Iraqi civil and political opinion. The Sharm El Sheikh Conference in late November brought together key regional and international actors, and the subsequent meeting of regional interior ministers in Tehran built on the consensus reached at Sharm El Sheik. The Sharm El Sheik and Tehran communiqués should help to bring about a regional environment conducive to Iraq's transition. Political outreach efforts inside Iraq, as well as growing regional cooperation with respect to Iraq, offer the best prospect for an improved political and security environment and a successful transition in Iraq.

I am optimistic that the Interim Government and the people of Iraq are willing and able to successfully negotiate the transition to a united, democratic and prosperous Iraq. Despite its current problems, Iraq possesses the human and material capital to rebuild itself. Moreover, the support of the international community to Iraq's political and economic reconstruction was again reaffirmed in October at the Tokyo meeting of the International Reconstruction Fund Facility. The Paris Club has decided to significantly reduce Iraq's external debt burden, and it is hoped that other creditor nations will follow suit. Substantial resources have been used to mitigate emergency and rehabilitation needs, as well as to support the work of the Inuependent Electoral Commission of Iraq. Additional economic support can be expected as Iraq succeeds in advancing its political transition.

The potential of Iraq remains its surest hope of success. That is why the United Nations is in Iraq, despite many constraints. We are and shall remain sensitive to the expectations that Iraqi people have of the United Nations. We are determined not to disappoint those expectations and aware of the important role the United Nations has in facilitating a transition process that answers to the aspirations of Iraqi people.

The next year will see many challenges and opportunities: the election of a Transitional National Assembly, a constitutional referendum and a general

election under the new constitution. It will be all the more important to have wider and deeper consensus in the international community, particularly in this Council, in support of the efforts of the Secretary-General and UNAMI to implement our mandate under resolution 1546 (2004) to the fullest extent possible, as circumstances permit.

With the Council's support, the Secretary-General and I remain committed to doing our utmost to help promote peace, stability and development in a united Iraq.

**Mr. Danforth** (United States of America): Today, I will provide the Security Council with an update on the situation in Iraq, in accordance with Security Council resolution 1546 (2004). This oral report will summarize the more detailed written report that we are releasing today.

First, on behalf of the multinational force, I thank the Secretary-General and his Special Representative for their report which we found to be thorough and encouraging. Also, I express thanks to the members of the United Nations team working on the Iraqi elections. While the security situation in Iraq remains difficult, the increase in United Nations staff and support is essential to Iraq's political transition process. The United Nations presence is critically important to successful elections next 30 January and beyond, and to economic development and reconstruction.

The multinational force consists of over 150,000 troops and support personnel from over 30 countries. It remains in place at the invitation of the Iraqi Government with the goal of contributing to security and stability and of assisting the Iraqis in building a democracy. The force, in conjunction with the Iraqi Government and international and national non-governmental organizations, provides extensive humanitarian assistance and highly specialized reconstruction resources. And, of course, the force works aggressively to isolate and neutralize those who threaten the security of the Iraqi people. Members of the force continue to work bravely and tirelessly alongside their Iraqi counterparts to combat terrorism, destroy weapons that threaten Iraq's stability, gather intelligence and wage combat operations against insurgents and terrorists. While the opponents of peace and security are tenacious, the multinational force has made progress in creating conditions that will allow for free and fair elections and a transition to democracy.

Multinational force units devoted to reconstruction and public welfare repair bridges, ports, roads and railroads. They construct and repair schools, hospitals, post offices and other public buildings throughout Iraq. They provide medical treatment and vaccinations for civilians. Multinational force units devoted to security have continued to dispose of thousands of tons of ammunition and mines that could otherwise be used by insurgents to destabilize the Government.

Resolution 1546 (2004) welcomes ongoing efforts by the Interim Iraqi Government to develop its own security forces. The multinational force is helping to build this capability through the recruiting, training, equipping and mentoring of Iraqi security forces. The Iraqi security forces — which include the police, border enforcement, army, national guard, intervention force, special operations force, air force and coastal defence force — currently number roughly 116,240 trained and equipped people, almost three times the number of troops from the last reporting period. While the trends are positive, much work remains before Iraq's forces can take full responsibility for the country's security.

Until Iraqi forces are fully trained and operational and insurgents cease terrorizing the country, security will remain a serious concern. In the months since our last report to the Council, we have witnessed significant attacks against the multinational force and the Iraqi people with small arms and rocket-propelled grenades, mortars and explosive devices. Insurgents have attacked Iraqis who work for their Government, as well as workers from outside the country, in efforts to disrupt the rebuilding of the country.

The multinational force understands United Nations concerns about the safety of its brave and dedicated people and is committed to providing security for the growing United Nations staff in Iraq. As we provide that security, we urge the United Nations to put additional personnel on the ground. Additional United Nations support is essential to the future of Iraq, and especially to the success of next month's elections.

Resolution 1546 (2004) authorized a distinct entity to provide security for United Nations personnel in Iraq. In its absence, United States troops have done that work. We are encouraged that several Governments have recently confirmed their intent to

contribute to the distinct security entity authorized by the resolution, and we are hopeful that the group will be operational by January 2005, in time for the elections. Also, the United Nations is taking important steps to provide for its own security by including a substantial formed guard unit and personal security details for its personnel. Security for the United Nations in Iraq will be a key issue for some time, and we urge donors in the strongest possible terms to step forward with donations of forces and finances.

It is with great hope that we anticipate Iraq's elections on 30 January. The elections will be not the end of a process, but rather a beginning — an important step in the development of a democratic nation. With perseverance and a steadfast commitment to the effort, and with a strong partnership of the Iraqi people, the multinational force and the United Nations, a free and democratic Iraq will emerge from the tyranny and terrorism that have plagued the country for so long. That day will be a great one for Iraq, for the United Nations and for the world.

A longer, written version of this report will be provided for circulation as a document of the Council.

**Mr. Sumaida'ie** (Iraq): I wish to thank the Council for granting my request to address it today. I note with satisfaction that this is the second time in a row that Iraq has been invited to speak at an open briefing on its current affairs. That is both natural and fair. I look forward to continuing to be at the disposal of the Council whenever it deliberates matters concerning Iraq. Such dialogue is helpful and will not fail to be productive.

The Secretary-General has presented to the Council a comprehensive report on the situation in Iraq and on the United Nations involvement in it. On the whole, it represents a fair evaluation and contains a welcome reaffirmation of values and goals set out in resolution 1546 (2004) and, more recently, by the international conference on Iraq held in Sharm el-Sheikh. Whilst we agree with most of the report, there are parts which require some reflection and comment.

Few issues now before Iraq loom larger than the upcoming elections set for 30 January 2005. The Transitional Administrative Law sets out a process designed to lead to a system of democratic Government with checks and balances such as Iraq has not previously known. The elections are a key step in that process. The raison d'être of the Iraqi Interim Government is to guide Iraq through that stage of the political process and to ensure the holding of elections. In the next stage an Iraqi transitional Government will draft a permanent Constitution and oversee the next elections, which, pursuant to that Constitution, are to be held by 15 December 2005, with the new Government assuming office by the end of 2005. That is an ambitious schedule, but Iraqis need, and overwhelmingly desire, a legitimate Government and a return to normalcy as soon as possible.

My Government is obviously fully aware of, and preoccupied with, the current security situation. But we believe that we have a legal and political obligation to the people of Iraq — an obligation that we intend to discharge and, to the extent possible, to do so on time. In that the Transitional Administrative Law and resolution 1546 (2004) stipulate the timetable for elections and the great majority of the people of Iraq want and expect them to take place as planned, to postpone them might be seen as giving in to the terrorists, whose goal is to wreck the political process and prevent elections from ever taking place.

The Secretary-General's report refers to those who have called for a boycott of elections. It also states:

> "While a number of parties and other entities have announced their support for the elections to be held as scheduled, others have announced that they might boycott the elections. This underlines the urgent need to promote consensus on this important issue within the broader framework of the challenge of national reconciliation." (*S/2004/959, para. 10*)

Reading that, one might get the impression that those who are calling for a boycott of the elections are as numerous as those who want to participate. That is far from being the case. Moreover, if by the word "consensus" we mean unanimity, then we are setting ourselves an impossible task. Having said that, we are fully aware of the need for national reconciliation, which will be pursued vigorously. There are indeed some groups and individuals who have arrogated to themselves the right to speak on behalf of whole communities within Iraq. Yet, there is no reason to suppose that they speak for any sizeable contingent of Iraqis. They are, of course, entitled to their views. As long as they do not resort to violence to enforce them,

they are encouraged and welcomed to take part in the political process.

There is no reason to believe that those calling for a boycott will be heeded by any sizeable segment of Iraq's population. Boycotts have failed in other countries transitioning to democracy. Iraq is unlikely to be an exception in that regard. Given the opportunity, Iraqis will turn out in large numbers to participate in the first free elections of their lives.

Any risk to the election and its credibility and inclusiveness is likely to come not so much from a boycott but from the campaign of violence and intimidation that is being directed at the general population in order to thwart the election. The Government is doing its utmost to combat that and to reduce the effects of that campaign of terror to a minimum, while safeguarding the rights of all citizens to express their will freely. In that we shall need continued help from all concerned; and we shall need, and insist upon, help from our neighbours.

The report of the Secretary-General notes that the security situation in Iraq has deteriorated in some places, although it also notes that there is relative calm in most areas of Iraq. It indirectly criticizes the use of force to dislodge terrorists from Fallujah. Yet it offers no alternative that has not already been tried for months, to no avail. The report takes note of, and commends the Interim Government of Iraq for, efforts to reach out to, and engage, groups willing to talk. But, despite all such efforts, we have witnessed increased audacity and brutality in the targeting of Iraqi children, women and men for wholesale massacre. The Interim Government of Iraq concluded that those responsible for those atrocities were not interested in negotiating and that those who were in dialogue with the Government were incapable of delivering an end to violence. The strategy of the Interim Government of Iraq therefore had to be to deprive terrorists intent on destroying the transition process of any safe haven in Iraq. No responsible Government could do anything else.

The discoveries made in Fallujah during recent military actions vindicate the Interim Government of Iraq. We found in Fallujah no less than 203 major weapons caches, 11 factories for improvised explosive devices and three slaughterhouses for captives and hostages. Is the Government supposed to stand by while the inhabitants of Fallujah, foreign aid workers and the rest of the people in Iraq are terrorized and murdered? Without law and order there can be no Government, and without Government only chaos and more misery can ensue. I have here a map showing the locations of all the places to which I have referred. We can make available detailed photographs of those finds to anyone interested in them.

The encouraging result of its intervention in Najaf earlier this year provides further vindication of the Interim Government of Iraq's firm policy. Much to the relief of the inhabitants of Najaf and Sadr City, general calm now exists and reconstruction programmes are in place that involve the communities themselves. The report itself provides evidence of that.

Using large-scale military force in any city cannot be a preferred option by any responsible or compassionate Government. It becomes a duty, however, if it is the only way to save a whole nation from greater suffering and to secure its future.

With regard to the United Nations participation in assisting us to prepare for elections, we welcome the Secretary-General's decision to increase the number of elections workers in Iraq. But the increased numbers are still not enough, and we are concerned that that shortfall might adversely affect our preparedness for elections. We wonder how it is that the United Nations can play the leading role mandated by resolution 1546 (2004) if it remains largely insulated from the people. The phrase "as circumstances permit" should not become a mantra, repeated to justify insufficient presence on the ground in Iraq.

The Secretary-General's report is quite candid about the fact that much of the work of the Special Representative occurs within the confines of the international zone or remotely, in foreign capitals, rather than where it is needed, namely, throughout Iraq. The preferred mode of interaction with Iraqi officials seems too often to be video-conferencing or telephone calls from outside Iraq — or, indeed, through letters that inevitably find their way to the press. We believe that not only elections preparations but also vital humanitarian and developmental work can be greatly enhanced through direct contacts in Iraq between United Nations officials and their counterparts in the Interim Government of Iraq and in the provinces. Despite the relative peace and stability there, there is even a dearth of United Nations workers in northern and southern Iraq. It is hoped that steps will be taken

urgently to build up the United Nations presence in those regions of Iraq. This is an area in which progress should be possible quite quickly. We also urge a quick replacement for former Deputy Special Representative and Humanitarian Coordinator, Mr. Ross Mountain.

The Interim Government of Iraq commends Special Representative Ashraf Qazi for his efforts, given the constraints within which he works.

No one can forget the tragic and heroic sacrifice of United Nations workers on 19 August 2003. Yet, in the limited time we have left before elections, it is critical for the United Nations to bolster its presence and intensify its activities in Iraq.

In conclusion, I wish to reiterate that we agree generally with the report of the Secretary-General. We greatly appreciate all the efforts made by him and his colleagues to help Iraq. The Secretary-General's report states that

> "A mutually reinforcing dynamic between a credible political process and an improving security situation offers the best hope for achieving the goal of a stable, durable and democratic transition." (*ibid., para. 8*)

We totally concur, and we would add a third factor, namely, resuscitating the economy. In all this, help from the United Nations and the international community is indispensable.

**The President** (*spoke in Arabic*): In accordance with the understanding reached in the Council's prior consultations, I should now like to invite Council members to informal consultations to continue our discussion on the subject.

*The meeting rose at 10.40 a.m.*